

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 1253

SENATOR BEUTLER: Why...why can't we change that provision?

SENATOR LANDIS: I can tell you that we would be free to change that provision. It probably would be the undoing of LB 1253 if we did. The medical necessity is probably the most painful part of all health insurance coverage for consumers, that that decision rests with the insurance company or the HMO, which is one of the reasons why HMOs are under as much attack as they are, because they would retain this (inaudible), we'll decide what's medically necessary. In this case you're not talking about emergency care. You're talking about care, generally, that is not...it...most people have time before they go to the dentist. You do a crown, you do a bridge, you do a root canal, you schedule that, and that's probably the case here. This is not emergency care. So, you have a chance then to decide what course of conduct is appropriate. And the decision here is not whether there's dental coverage or not, because this won't...this does not say you will cover the dental coverage; this says you get the hospitalization, you get the anesthetizing quality. And that decision of what is medically necessary is now done by a doctor, or in this case by the company. And, yes, you could change this but, if you allow the dentist to decide that, you're allowing the dentist to decide the medical necessity of medical benefits under a hospitalization policy that does not cover dental coverage. We could choose otherwise. This is where we came down to get the coverage; you may not like the value choice. Given the fact that this is not generally emergency care seems to me reasonable to have it done prior and so that the parent would know whether or not this was going to be covered or not. So the example that moved me, which was the lady in Grand Island, she would have had an answer and could have had an answer.

SENATOR BEUTLER: Well, every...everything you say I agree with, but I'm not sure that in my mind you answered the question.

SENATOR LANDIS: Okay.

SENATOR BEUTLER: How does the insurance company know about the psychological makeup of that child? Upon what basis are they going to make the judgment?